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1 UNITED STATES DISTRICT COURT
2 DISTRICT OF DELAWARE
3 - - - - -
4 ETHYPHARM S.A. FRANCE and :
5 ETHYPHARM S.A. SPAIN, :
6 Plaintiffs, :
7 VS. : CASE NO.
8 BENTLEY PHARMACEUTICALS, : 04-13000-SLR
9 INC., :
10 Defendant. :
11 - - - - -
12
13 VIDEOTAPED DEPOSITION OF ADOLFO HERRERA,
14 a witness called by and on behalf of the
15 Plaintiffs, taken pursuant to the applicable
16 provisions of the Federal Rules of Civil
17 Procedure, before Sandra L. Bray, Registered
18 Diplomate Reporter, CSR Number 103593, and
19 Notary Public in and for Commonwealth of
20 Massachusetts, at the offices of Edwards Angell
21 Palmer & Dodge LLP, 111 Huntington Avenue,
22 Boston, Massachusetts, on Thursday, July 20,
23 2006, commencing at 2:23 p.m.
24

<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES:</p> <p>2 Representing the Plaintiffs:</p> <p>3 BAACH ROBINSON & LEWIS PLLC</p> <p>4 1201 F Street, NW</p> <p>5 Suite 500</p> <p>6 Washington, D.C. 20004</p> <p>7 BY: DWIGHT P. BOSTWICK, ESQUIRE</p> <p>8 JONATHAN D. FINE, ESQUIRE</p> <p>9</p> <p>10 Representing the Defendant:</p> <p>11 EDWARDS ANGELL PALMER & DODGE LLP</p> <p>12 111 Huntington Avenue</p> <p>13 Boston, Massachusetts 02199</p> <p>14 BY: CRAIG E. STEWART, ESQUIRE</p> <p>15</p> <p>16 Representing Laboratorios Belmac S.A.:</p> <p>17 IBERFORO</p> <p>18 28014 Madrid-CI</p> <p>19 Marques de Cubas, 6</p> <p>20 Madrid, Spain</p> <p>21 BY: REBECA CORRAL GREGORIO, ESQUIRE</p> <p>22 RAFAEL GARCIA-PALENCIA</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 4</p> <p>1 INDEX</p> <p>2 WITNESS: PAGE NO.</p> <p>3 ADOLFO HERRERA</p> <p>4 BY MR. BOSTWICK 6</p> <p>5</p> <p>6</p> <p>7 EXHIBITS</p> <p>8 NO. DESCRIPTION PAGE NO.</p> <p>9 1 Declaration of Adolfo Herrera 30</p> <p>10 2 Fax to Mr. Gonzalez from</p> <p>11 Mr. De Basilio, dated 3-4-98 56</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
<p style="text-align: right;">Page 3</p> <p>1 ALSO PRESENT:</p> <p>2 Ivelissa I. Escalera, Translator</p> <p>3 Jane Lamb-Ruiz, Check Translator</p> <p>4 Kristin Zarnetske, Videographer</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 5</p> <p>1 PROCEEDINGS</p> <p>2 (The Spanish Ministerio del Interior</p> <p>3 identification of the deponent was noted</p> <p>4 for the record.)</p> <p>5 THE VIDEOGRAPHER: This is Tape Number</p> <p>6 1 of the videotaped deposition of Mr. Adolfo</p> <p>7 Herrera, taken by Plaintiffs, in the matter of</p> <p>8 Ethypharm S.A. France and Ethypharm S.A. Spain,</p> <p>9 Plaintiffs, versus Bentley Pharmaceuticals,</p> <p>10 Inc., Defendants, in the United States District</p> <p>11 Court, District of Delaware, Case Number</p> <p>12 04-13000(SLR). This deposition is being held on</p> <p>13 July 20th, 2006, at approximately 2:23 p.m.</p> <p>14 My name is Kristin Zarnetske,</p> <p>15 representing Esquire Deposition Services. The</p> <p>16 court reporter, also in association with</p> <p>17 Esquire, is Sandra Bray.</p> <p>18 This deposition is being held at the</p> <p>19 law firm of Edwards Angell Palmer & Dodge at</p> <p>20 111 Huntington Avenue, Boston, Massachusetts.</p> <p>21 Will counsel present please introduce</p> <p>22 themselves for the record?</p> <p>23 MR. BOSTWICK: Yes, Dwight Bostwick</p> <p>24 and Jonathan Fine for the Plaintiffs in this</p>

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<p style="text-align: right;">Page 6</p> <p>1 matter, Ethypharm S.A. France and Ethypharm S.A. 2 Spain. 3 MR. STEWART: Craig Stewart for the 4 Defendant, Bentley Pharmaceuticals, 5 Incorporated. Also present is Rafael Garcia- 6 Palencia, counsel for Laboratorios Belmac S.A., 7 and Rebeca Corral, also for Laboratorios Belmac 8 S.A. 9 THE VIDEOGRAPHER: Thank you. Will 10 the court reporter please swear in the witness? 11 And please swear in the interpreter. 12 IVELISSA I. ESCALERA, 13 a translator in the Commonwealth of 14 Massachusetts, who, being by me first duly sworn 15 to translate from the English language into the 16 Spanish language and from the Spanish language 17 into the English language, thereupon acted as 18 translator for the witness herein; and 19 ADOLFO HERRERA, having duly sworn or 20 affirmed that his testimony would be the truth, 21 the whole truth, and nothing but the truth, 22 testified as follows: 23 * * * 24 MR. STEWART: Before we begin, it may</p>	<p style="text-align: right;">Page 8</p> <p>1 EXAMINATION BY MR. BOSTWICK: 2 Q. Mr. Herrera, good afternoon. 3 A. (Through translator): Good afternoon. 4 Q. I take it you are currently the general manager 5 of Laboratorios Belmac in Spain? 6 A. Yes, that's how it is. 7 Q. Have you ever had a deposition taken before? 8 A. Not in United States. 9 Q. Does that mean you have had -- you have 10 participated in a deposition process somewhere 11 other than the United States? 12 A. Yes, I have participated in Spain at the court 13 as a witness in depositions. 14 Q. What -- can you tell me on how many occasions? 15 A. Two. 16 Q. Who were the disputes between in those 17 instances? 18 A. With other pharmaceutical companies. 19 Q. Both instances were while you have been general 20 manager of Laboratorios Belmac; is that correct? 21 A. Yes. 22 Q. Who were the other two companies that the 23 disputes were between? 24 A. One was Merck, and the other one was Pfizer.</p>
<p style="text-align: right;">Page 7</p> <p>1 be -- I think we should probably also have our 2 check translator be introduced and the check 3 translator be sworn as well. 4 MR. BOSTWICK: Okay. And just to 5 clarify, that's a translator to observe -- an 6 extra translator to observe the proceedings and 7 see if there's anything that she would add or 8 change to that, and she has been -- she is 9 Bentley's check translator, so to speak. 10 MR. STEWART: Right. Would you 11 introduce yourself for the record, please? 12 MS. LAMB-RUIZ: I'm Jane Lamb-Ruiz, 13 and I'm an interpreter and translator, 14 Spanish-English, English-Spanish. 15 MR. STEWART: And would the 16 stenographer please swear Miss Lamb-Ruiz, 17 please? 18 JANE LAMB-RUIZ, 19 a translator in the Commonwealth of 20 Massachusetts, who, being by me first duly sworn 21 to translate from the English language into the 22 Spanish language and from the Spanish language 23 into the English language, thereupon acted as 24 check translator.</p>	<p style="text-align: right;">Page 9</p> <p>1 Q. Can you briefly tell me what the nature of the 2 dispute was with Merck? 3 A. Trademark infractions. 4 MS. LAMB-RUIZ: Trademark 5 infringement. 6 Q. And in that dispute, did it involve 7 microgranulization or pelletization? 8 A. No. 9 Q. And it did not relate to omeprazole or 10 lansoprazole? 11 A. No. 12 Q. How about the nature of the second dispute with 13 Pfizer? Can you describe that for me briefly? 14 A. Infraction of patents -- of trademarks, excuse 15 me. 16 MS. LAMB-RUIZ: Patent infringement. 17 Q. Did that patent infringement case with Pfizer 18 relate in any way to microgranulation or 19 pelletization processes? 20 A. No. 21 Q. And it did not involve omeprazole or 22 lansoprazole either? 23 A. No. 24 Q. Before we go further, let me just explain a few</p>

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<p style="text-align: right;">Page 10</p> <p>1 things about the deposition process so I'm sure 2 you're comfortable. 3 MS. LAMB-RUIZ: Deposition rather than 4 procession. 5 THE TRANSLATOR: Gracias. 6 Q. First, we have a translator here to assist you. 7 Do you understand that? 8 A. Perfectly. 9 Q. I understand that you speak English, but because 10 Spanish is your native language, that you would 11 prefer to answer the questions in Spanish and to 12 hear the questions in Spanish. 13 A. Spanish is my native language, and I understand. 14 I do write English, but not that well. 15 Q. And it's perfectly appropriate for you to take 16 the deposition in Spanish. 17 A. Correct. 18 Q. And I want to clarify that if there's something 19 that you don't understand about my questions, 20 please stop me and ask for clarification. 21 A. I will do that. 22 Q. You have also been sworn in by the court 23 reporter, and that means that you must testify 24 truthfully in this proceeding.</p>	<p style="text-align: right;">Page 12</p> <p>1 A. That's correct. 2 MR. BOSTWICK: Just so that I -- let's 3 go off the record for just a moment. Okay? 4 THE VIDEOGRAPHER: The time is 5 2:35 p.m. We're going off the record. 6 (Discussion off the record) 7 THE VIDEOGRAPHER: The time is 8 2:46 p.m. We're back on the record. 9 Q. Mr. Herrera, when did you first become employed 10 at Laboratorios Belmac? 11 A. October the 1st, 1997. 12 Q. How were you hired? 13 A. I was working at another company which had 14 relationships with Belmac Labs, and the general 15 director, Clemente Gonzalez Azpetia, made me 16 offer, a job offer. 17 Q. What was the other company that you were working 18 for? 19 A. Llorente Laboratories. 20 Q. Could you spell that for us, please? 21 A. L as in Larry, L as in Larry, O as in Oliver, R 22 as in Robert, E as in Edward, N as in Nancy, D 23 as in David, E as in Edward. 24 THE TRANSLATOR: Let me spell this</p>
<p style="text-align: right;">Page 11</p> <p>1 A. I'm Catholic and Christian. 2 Q. Most specifically, it means that you can't 3 testify falsely, but also you must not leave out 4 important information. 5 A. Correct. 6 Q. Now, the court reporter will take down the 7 questions and answers today. 8 A. Very good. 9 Q. And we will take breaks occasionally throughout 10 today and tomorrow, but if there's any time when 11 you feel as though you need a break, simply tell 12 me. 13 A. Thank you very much. 14 Q. Do you have any questions for me about the 15 process here today? 16 A. No. 17 Q. You have indicated that you are currently the 18 general manager of Laboratorios Belmac in Spain, 19 correct? 20 A. Correct. 21 Q. And am I correct that Laboratorios Belmac is a 22 wholly owned subsidiary of Bentley 23 Pharmaceuticals? 24 (Verbal exchange between translators)</p>	<p style="text-align: right;">Page 13</p> <p>1 again. L as in Larry, L as in Larry, O as in 2 Oliver, R as in Robert, E as in Edward, N as in 3 Nancy, T as in Thomas, E as in Edward. 4 Q. And what position were you hired into at 5 Laboratorios Belmac? 6 A. Director -- general director -- deputy general 7 manager. Excuse me. 8 Q. And what were your duties in that position? 9 A. I was helping the general director in charge of 10 the responsibilities of the manufacturing plant 11 and fundamentally bring products to the company, 12 look for new businesses. 13 Q. And I take it that your direct boss in that job 14 was Clemente Gonzalez? 15 A. Yes, this is correct. 16 Q. What was your starting salary? 17 A. It's difficult to remember, but approximately 18 between 12 to 13 millions of pesetas because 19 during those days it was pesetas. 20 Q. Do you know what that translates to in dollars 21 approximately? 22 A. About 70, 80 million -- about 70,000, \$80,000. 23 Q. How long did you hold -- strike that. Did you 24 ultimately become general manager of</p>

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<p style="text-align: right;">Page 14</p> <p>1 Laboratorios Belmac?</p> <p>2 A. Yes, afterwards.</p> <p>3 Q. When?</p> <p>4 A. Approximately June or July of the year 1999.</p> <p>5 Q. Did you have any other jobs between your job as</p> <p>6 deputy and your job as general manager?</p> <p>7 A. No.</p> <p>8 Q. What are your general duties as the general</p> <p>9 manager of Laboratorios Belmac?</p> <p>10 A. Reorganize the manufacturing plant, establish</p> <p>11 the strategies in conjunction with the general</p> <p>12 directorship to develop -- for development, and</p> <p>13 establish financial policies for the company.</p> <p>14 Q. Have your responsibilities changed since July</p> <p>15 1999 until now?</p> <p>16 A. No.</p> <p>17 Q. Is general manager the only position you have</p> <p>18 held at Laboratorios Belmac from 1999 to the</p> <p>19 present?</p> <p>20 A. Yes.</p> <p>21 Q. Who hired you to be general manager around June</p> <p>22 or July of 1999?</p> <p>23 A. Yes, we're talking about 1999?</p> <p>24 Q. Yes.</p>	<p style="text-align: right;">Page 16</p> <p>1 understanding that Jim Murphy had nothing to do</p> <p>2 with hiring you to be general manager of</p> <p>3 Laboratorios Belmac?</p> <p>4 MR. STEWART: Objection.</p> <p>5 A. No.</p> <p>6 Q. Did Mr. Murphy have anything to do with hiring</p> <p>7 you to be general manager of Laboratorios Belmac</p> <p>8 in July of 1999?</p> <p>9 A. Mr. Clemente Gonzalez Azpetia communicated his</p> <p>10 decision to Mr. Murphy.</p> <p>11 Q. Did you speak with Mr. Murphy about taking on</p> <p>12 the position of general manager of Laboratorios</p> <p>13 Belmac?</p> <p>14 A. No.</p> <p>15 Q. What was your salary as general manager?</p> <p>16 MR. STEWART: At what time?</p> <p>17 Q. When you began.</p> <p>18 A. We can say approximately 1 to 2 millions of</p> <p>19 pesetas.</p> <p>20 Q. Is that the raise?</p> <p>21 MR. STEWART: Objection, incorrect</p> <p>22 translation of the witness' testimony.</p> <p>23 Q. Does that mean that your total salary as general</p> <p>24 manager in 1999 was 13 or 14 million pesetas?</p>
<p style="text-align: right;">Page 15</p> <p>1 A. I was employed by the company in 1997.</p> <p>2 Q. Okay. My question is a little bit different.</p> <p>3 A. Excuse me.</p> <p>4 Q. You became general manager around July of 1999,</p> <p>5 correct?</p> <p>6 A. Correct.</p> <p>7 Q. Who hired you to be the general manager of</p> <p>8 Laboratorios Belmac around July of 1999?</p> <p>9 MR. STEWART: Objection, incorrect</p> <p>10 translation.</p> <p>11 THE TRANSLATOR: I'm just asking him</p> <p>12 to repeat the question -- his answer. Excuse</p> <p>13 me.</p> <p>14 A. Around June, July 1999, I changed positions, and</p> <p>15 the change was made by Clemente -- or the offer</p> <p>16 was made by Clemente Gonzalez Azpetia.</p> <p>17 Q. Do I understand you to testify that Clemente</p> <p>18 Gonzalez Azpetia hired you to be general manager</p> <p>19 of Laboratorios Belmac?</p> <p>20 A. Correct.</p> <p>21 Q. Did Jim Murphy hire you to be general manager of</p> <p>22 Laboratorios Belmac?</p> <p>23 A. No.</p> <p>24 Q. Did Jim Murphy have -- strike that. Is it your</p>	<p style="text-align: right;">Page 17</p> <p>1 A. Yes.</p> <p>2 Q. Did that salary change between 1999 and today?</p> <p>3 A. Yes.</p> <p>4 Q. Can you tell me how it changed?</p> <p>5 A. Along the pass of the years.</p> <p>6 Q. How about in the year 2000, what was your</p> <p>7 salary?</p> <p>8 A. Honestly, I don't remember.</p> <p>9 Q. 2001?</p> <p>10 A. Maybe 20, 22 millions of pesetas.</p> <p>11 Q. And how about 2002?</p> <p>12 A. Approximately 30 millions, but I'm not</p> <p>13 100 percent sure of my answer.</p> <p>14 Q. 2003?</p> <p>15 A. 35, 36.</p> <p>16 Q. Million pesetas?</p> <p>17 A. Yes.</p> <p>18 Q. 2004?</p> <p>19 A. About 40 millions, but I don't remember.</p> <p>20 Q. What is your current salary for Laboratorios</p> <p>21 Belmac?</p> <p>22 A. Approximately 350,000 euros.</p> <p>23 Q. 350,000 euros. In any of those years that I</p> <p>24 mentioned, 1999 to the present, did you receive</p>

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<p style="text-align: right;">Page 18</p> <p>1 bonuses?</p> <p>2 A. Yes.</p> <p>3 Q. Can you tell me what bonuses you received in</p> <p>4 what years?</p> <p>5 A. Every year, I have received some bonus, and it</p> <p>6 could be approximately, you know -- most likely,</p> <p>7 it was including -- included in my salary. I</p> <p>8 don't have the specific numbers. I'm just</p> <p>9 thinking global number.</p> <p>10 Q. Who decided your salary -- the amount of your</p> <p>11 salary and your bonus?</p> <p>12 A. The compensation committee of Bentley</p> <p>13 Pharmaceuticals.</p> <p>14 Q. Have you ever received shares of Bentley stock?</p> <p>15 A. I have received stock options.</p> <p>16 Q. In what years have you received stock options?</p> <p>17 A. I believe the first year was year 1999.</p> <p>18 Q. Have you received stock options from -- well,</p> <p>19 strike that. Are these stock options of Bentley</p> <p>20 Pharmaceuticals stock?</p> <p>21 A. Yes.</p> <p>22 Q. No, not Laboratorios Bentley. Let me ask the</p> <p>23 question again. Are these Bentley</p> <p>24 Pharmaceuticals stock options?</p>	<p style="text-align: right;">Page 20</p> <p>1 them yet.</p> <p>2 A. That's true.</p> <p>3 Q. So if you were to -- are you married?</p> <p>4 A. Yes.</p> <p>5 Q. If you were to tell your wife, "Here's how much</p> <p>6 Bentley has given to me in stock options," how</p> <p>7 would you explain that to her?</p> <p>8 A. What is different is that I would not tell my</p> <p>9 wife.</p> <p>10 Q. All right. How about your best friend?</p> <p>11 A. I would not tell my best friend either.</p> <p>12 Q. All right. How about me?</p> <p>13 A. I would just say that it has been decided by the</p> <p>14 compensation committee to give me the offer or</p> <p>15 the option of stock options.</p> <p>16 Q. How much do you hold? How many stock options do</p> <p>17 you hold today?</p> <p>18 A. I honestly don't know exactly. You know, maybe</p> <p>19 something about 200,000 or 300,000. You know, I</p> <p>20 really don't know. I have never been concerned</p> <p>21 about it.</p> <p>22 Q. Do I understand that answer to mean that you</p> <p>23 hold 200 to 300,000 shares of Bentley stock?</p> <p>24 MR. STEWART: Objection, objection,</p>
<p style="text-align: right;">Page 19</p> <p>1 A. Yes, Bentley Pharmaceuticals.</p> <p>2 Q. And who -- is it Bentley's compensation</p> <p>3 committee that decides whether to give you stock</p> <p>4 options?</p> <p>5 A. Yes.</p> <p>6 Q. Have you received stock options from Bentley</p> <p>7 every year since 1999?</p> <p>8 A. Yes.</p> <p>9 Q. Can you estimate for me the value of the stock</p> <p>10 options that you have received from Bentley?</p> <p>11 A. No.</p> <p>12 Q. Why not?</p> <p>13 A. Because I have never executed my stock options.</p> <p>14 Q. How -- can you tell me how many shares of stock</p> <p>15 you are permitted to exercise?</p> <p>16 MR. STEWART: At what time? And</p> <p>17 please translate my objection or my comment, my</p> <p>18 point of clarification.</p> <p>19 A. Can you repeat the question because I kind of</p> <p>20 lost track?</p> <p>21 Q. Okay. How -- I'm trying to get an estimate of</p> <p>22 how much you have received in terms of stock</p> <p>23 options from Bentley, and I realize it's a</p> <p>24 little difficult because you haven't exercised</p>	<p style="text-align: right;">Page 21</p> <p>1 mischaracterization of testimony.</p> <p>2 THE TRANSLATOR: I'm sorry. Can you</p> <p>3 repeat your objection again?</p> <p>4 MR. BOSTWICK: Craig, we have never</p> <p>5 had the -- we've been doing this about now for</p> <p>6 three or four weeks. We have never had the</p> <p>7 translator translate the objections for the</p> <p>8 witness. This witness speaks English. He can</p> <p>9 hear your objections. We don't need to</p> <p>10 interrupt this and cause confusion. He's</p> <p>11 already lost a couple of questions. She loses</p> <p>12 her train of thought. That's just patently</p> <p>13 unreasonable. So I'm going to ask you refrain.</p> <p>14 MR. STEWART: It's not patently</p> <p>15 unreasonable.</p> <p>16 MR. BOSTWICK: Have we ever done it</p> <p>17 before, Craig? How many depositions have we</p> <p>18 done to date?</p> <p>19 MR. STEWART: The fact we haven't done</p> <p>20 it before doesn't mean we shouldn't do it now,</p> <p>21 because, frankly, in the other depositions, as I</p> <p>22 reflect on it, I wish I had.</p> <p>23 MR. BOSTWICK: I'm sure you do.</p> <p>24 MR. STEWART: The only part of your</p>

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<p style="text-align: right;">Page 22</p> <p>1 objection -- the only part of your colloquy that 2 makes any sense is whether this witness in the 3 context understands the nature of my objection. 4 MR. BOSTWICK: Actually, the objection 5 is not for the witness. It's for the Court. 6 The witness has no right to even hear -- if what 7 you're telling me is you're trying to highlight 8 what he should say through your objections, then 9 you're just flat-out wrong in terms of the law. 10 It's not for the witness. It's for the Court. 11 If we want to continue this, we should go off 12 the record, but I would prefer to ask him the 13 question again through the court reporter and 14 let her continue, but this doesn't need to be 15 this way. I don't know why today is somehow 16 different than all the other days that we've 17 had. It's much more contentious, and quite 18 frankly, you're being unreasonable about the 19 translation issues. 20 MR. STEWART: It's not contentious at 21 all on my part. I'm simply trying to have an 22 accurate translation and have the proceedings 23 translated accurately into Mr. De Basilia -- 24 Mr. Herrera's native language. I'll lose the</p>	<p style="text-align: right;">Page 24</p> <p>1 Bentley Pharmaceuticals around 2005? 2 A. I wasn't hired by anyone. I don't receive any 3 compensation. It was communicated to me by the 4 committee of Bentley Pharmaceuticals that I have 5 been assigned this position. 6 Q. When you say it was communicated to you by the 7 committee of Bentley Pharmaceuticals, was it -- 8 do you mean the board of directors? 9 A. That's what I understand. Mr. Jim Murphy as the 10 responsible person or president of Bentley 11 Pharmaceuticals, he communicated to me that it 12 had been decided by the director committee of 13 Bentley Pharmaceuticals that I will be the vice 14 president. 15 MR. BOSTWICK: And -- I'm sorry. 16 Could you read back that last answer, please? 17 (Reporter read back the last answer.) 18 Q. You have spoke -- spoken of the director 19 committee. Do you know -- because you speak 20 some English, could you tell me what that term 21 is called in English, director committee? 22 A. I understand of it as the board of directors, 23 you know, like the committee of directors. 24 Q. Are you sure this was in 2005 or could it have</p>
<p style="text-align: right;">Page 23</p> <p>1 client by referring to the witness by the wrong 2 name. 3 MR. BOSTWICK: Well, we don't need to 4 translate the objections. And why don't we read 5 back the question for the witness since I'm sure 6 we've all forgotten. 7 If you can read back the last question 8 in English, and then she can translate it, and 9 we'll all be back on track. 10 (Reporter read back the last question.) 11 MR. STEWART: Objection, 12 mischaracterization of testimony. 13 Q. That you may exercise at certain times. 14 A. Yes. 15 Q. Can you exercise those shares today if you wish? 16 A. Not all of them. 17 Q. Approximately what percentage? 18 A. Approximately 60 or 70 percent. 19 Q. Okay. Let me ask you about any positions you 20 may hold with Bentley Pharmaceuticals. Do you 21 hold any positions with Bentley Pharmaceuticals? 22 A. Vice president of Bentley Pharmaceuticals since 23 January or February of 2005 approximately. 24 Q. Who hired you to be the vice president of</p>	<p style="text-align: right;">Page 25</p> <p>1 been earlier? 2 A. I remember that it was communicated to me at the 3 beginning of 2005. If it was decided prior to 4 that, I don't know. It was communicated to me 5 at the beginning of 2005. 6 Q. How do you remember that it was communicated to 7 you at the beginning of 2005? Do you have a 8 specific recollection of the conversation with 9 Mr. Murphy? 10 MR. STEWART: Objection, two 11 questions, and either the stenographer -- the 12 translator translates the question or I need a 13 short colloquy with the witness to make sure 14 that he has the objection. 15 MR. BOSTWICK: The witness doesn't get 16 the objection. He knows you've objected, but he 17 doesn't get an explanation. 18 MR. STEWART: The objection stands. 19 Q. Do you remember the question? 20 A. Not very well. 21 MR. BOSTWICK: Neither do I. Why 22 don't we ask the court reporter. 23 (Reporter began to read the question 24 back.)</p>

7 (Pages 22 to 25)

<p style="text-align: right;">Page 26</p> <p>1 Q. Let me actually start my question over. It'll 2 be easier. 3 A. You've testified that you were informed that you 4 were the vice president of Bentley in 2005, 5 correct? 6 MR. STEWART: Objection. 7 A. Correct. 8 Q. And you were -- that was communicated to you by 9 Mr. Murphy, correct? 10 A. Correct. 11 Q. Do you have a specific memory of Mr. Murphy 12 telling that to you in 2005? 13 A. Yes, that's how it was, and it was a 14 communication via phone. 15 Q. You were in Spain and he was in the United 16 States? 17 A. Yes, that's how it was. 18 Q. And Mr. Murphy called you or did you call 19 Mr. Murphy? 20 A. Mr. Murphy called me. 21 Q. And can you tell me with as much detail as 22 possible what was said in that telephone call? 23 A. He said congratulations, the committee of board 24 or -- board of directors have decided that you</p>	<p style="text-align: right;">Page 28</p> <p>1 the world of pharmaceuticals." 2 MR. STEWART: Objection, 3 mistranslation. 4 MR. BOSTWICK: Do you have a 5 suggestion for the translation, an improvement 6 of that? 7 MS. LAMB-RUIZ: It was from before, 8 "general recognition," not just "recognition." 9 MR. BOSTWICK: Pardon? 10 MS. LAMB-RUIZ: I knew the award -- 11 the new position was awarded on him in general 12 recognition, not just recognition. 13 MR. BOSTWICK: The new position was in 14 general recognition of prior work, not just 15 recognition of prior work? 16 MS. LAMB-RUIZ: Right. 17 Q. Mr. Herrera, the general recognition for prior 18 work is work performed at Laboratorios Belmac, 19 correct? 20 A. Correct, as a subsidiary 100 percent of 21 Pharmaceuticals Bentley. 22 Q. As 100 percent subsidiary of Bentley 23 Pharmaceuticals, is that what you mean? 24 A. That's correct.</p>
<p style="text-align: right;">Page 27</p> <p>1 become the vice president of the company. 2 Q. Did he tell you what -- first of all, is that 3 all you remember of the telephone conversation? 4 A. Yes. 5 Q. Did he tell you what the salary would be for 6 that new position? 7 A. No. 8 Q. And you don't receive a salary for that position 9 today? 10 A. No. 11 Q. In other words, it's correct that you only 12 receive a salary from Laboratorios Belmac? Is 13 that true? 14 A. Correct. 15 Q. Did Mr. Murphy tell you that your job duties 16 would change in any way as a result of this new 17 position? 18 A. During another conversation, I asked him, "Do I 19 have any additional responsibilities?" 20 Q. And what did he say? 21 A. Mr. Murphy responded to me, "Adolfo, this is 22 more of a recognition of your work and to help 23 me on specific things for Pharmaceuticals 24 Bentley as a consequence of your knowledge of</p>	<p style="text-align: right;">Page 29</p> <p>1 Q. Am I correct from these answers that you've just 2 given me that your job duties haven't changed 3 significantly since you became vice president of 4 Bentley? 5 A. No, they haven't changed. Practically they 6 haven't changed nothing at all. 7 Q. Mr. Herrera, Mr. Murphy often took handwritten 8 notes of telephone conversations he had with you 9 or meetings with other people. Did you ever 10 take notes of meetings or telephone calls? 11 A. No. 12 Q. So it is your general practice not to take notes 13 at meetings? 14 MR. STEWART: Objection, 15 mischaracterization. 16 A. When I'm in meetings outside from the office and 17 I'm negotiating contracts with other companies 18 or possible collaborations with other companies, 19 I do take my notes, my own notes, and I base on 20 my contracts. When I'm conversing with internal 21 staff in my company, normally I do not take 22 notes. I basically just base everything from my 23 head, you know; maybe some mistake that I make. 24 MR. BOSTWICK: Why don't we take a</p>

8 (Pages 26 to 29)

<p style="text-align: right;">Page 30</p> <p>1 five-minute break.</p> <p>2 Q. Is that okay with you?</p> <p>3 A. Yes, and I can go to the men's room. Perfectly.</p> <p>4 THE VIDEOGRAPHER: The time is</p> <p>5 3:26 p.m. We're going off the record.</p> <p>6 (Recess)</p> <p>7 (Declaration of Adolfo Herrera was</p> <p>8 marked Exhibit Number 1 for</p> <p>9 identification.)</p> <p>10 THE VIDEOGRAPHER: The time is</p> <p>11 3:45 p.m. We're back on the record.</p> <p>12 Q. Mr. Herrera, I have asked the court reporter to</p> <p>13 give you what has been marked as Exhibit 1.</p> <p>14 A. Thank you very much.</p> <p>15 Q. And do you recognize this document to be a</p> <p>16 declaration that you signed in this case?</p> <p>17 A. Yes, it's my signature.</p> <p>18 Q. On Page 13?</p> <p>19 A. Yes, that's correct.</p> <p>20 Q. And are those your initials at the bottom of</p> <p>21 each page as well?</p> <p>22 A. Yes.</p> <p>23 Q. And you reviewed that document carefully before</p> <p>24 signing it in November of 2004?</p>	<p style="text-align: right;">Page 32</p> <p>1 A. My position is as vice president, as before I</p> <p>2 explained my position.</p> <p>3 Q. Okay. And Mr. Murphy and Mr. Price are also</p> <p>4 officers of Bentley, correct?</p> <p>5 MR. STEWART: Objection.</p> <p>6 A. When you say officials, what exactly --</p> <p>7 officers, what exactly are you meaning?</p> <p>8 Q. Well, what position do you understand that James</p> <p>9 Murphy holds at Bentley?</p> <p>10 A. President of Bentley Pharmaceuticals.</p> <p>11 Q. Is he also chairman of the board or CEO?</p> <p>12 A. Yes.</p> <p>13 Q. Is he also chairman of the board of directors of</p> <p>14 Bentley?</p> <p>15 A. Honestly, I don't know.</p> <p>16 Q. What position does Michael Price hold at Bentley</p> <p>17 Pharmaceuticals?</p> <p>18 A. Financial vice president.</p> <p>19 Q. And is it your understanding that Mr. Murphy and</p> <p>20 Mr. Price have held those positions at Bentley</p> <p>21 since 1999?</p> <p>22 A. That's how I understand it.</p> <p>23 Q. Let me ask you to turn to Page 2. And toward</p> <p>24 the end of Paragraph 3, part of that sentence</p>
<p style="text-align: right;">Page 31</p> <p>1 A. Yes.</p> <p>2 Q. And have you reviewed that document in</p> <p>3 preparation for your deposition here today?</p> <p>4 A. Yes.</p> <p>5 Q. Let me ask you a few questions about some of the</p> <p>6 items in the declaration.</p> <p>7 A. Very good.</p> <p>8 Q. On Page 4, Paragraph 11, the first sentence</p> <p>9 reads -- and I'll have the translator read it in</p> <p>10 Spanish, but you can read it in whatever</p> <p>11 language you're comfortable. It says, "One of</p> <p>12 the three directors and all of the senior</p> <p>13 management team of Belmac are distinct from</p> <p>14 Bentley. The members of Belmac's board are</p> <p>15 James Murphy, Michael Price, and myself."</p> <p>16 My first question to you is, has the</p> <p>17 Laboratorios Belmac board consisted of Jim</p> <p>18 Murphy, Michael Price, and yourself since 1999?</p> <p>19 A. Yes.</p> <p>20 Q. Anybody else?</p> <p>21 A. No.</p> <p>22 Q. And it's true today that James Murphy, Michael</p> <p>23 Price, and yourself all hold positions at</p> <p>24 Bentley?</p>	<p style="text-align: right;">Page 33</p> <p>1 reads, "Belmac is not dependent on Bentley for</p> <p>2 funding."</p> <p>3 A. I cannot see it.</p> <p>4 THE TRANSLATOR: Do you want me to</p> <p>5 point it out?</p> <p>6 MR. BOSTWICK: Uh-huh.</p> <p>7 THE TRANSLATOR: "Belmac funding."</p> <p>8 A. For financial -- for their financials.</p> <p>9 Q. Do you see now where it says that Belmac is not</p> <p>10 dependent on Bentley for funding?</p> <p>11 A. Yes, I can see it.</p> <p>12 Q. Are you aware of a loan or an extension of</p> <p>13 credit of 6 to 7 million euros given by Bentley</p> <p>14 to Laboratorios Belmac sometime before 2003 or</p> <p>15 2004?</p> <p>16 A. Yes, but it's not exactly in that way. I would</p> <p>17 like to clarify the concept.</p> <p>18 Q. Please.</p> <p>19 A. In this page, we're talking about financing.</p> <p>20 When we're talking about 6 to 7 million euros,</p> <p>21 we're talking about a concept that is based on</p> <p>22 the management fees. And that comes we had to</p> <p>23 pay Bentley Pharmaceuticals a certain amount of</p> <p>24 money, and that has been recollectored on our</p>

9 (Pages 30 to 33)

<p style="text-align: right;">Page 34</p> <p>1 books in a time period of three to four years.</p> <p>2 And there was no --</p> <p>3 MR. STEWART: Objection as to</p> <p>4 translation.</p> <p>5 MR. BOSTWICK: Let's let her finish.</p> <p>6 A. There's no movement from --</p> <p>7 THE TRANSLATOR: I lost it.</p> <p>8 A. There was no movement of monies from Belmac to</p> <p>9 Bentley Pharmaceuticals. At a certain given</p> <p>10 point, we were concerned in terms of a</p> <p>11 possibility of fiscal problem at a certain</p> <p>12 point.</p> <p>13 MR. STEWART: Objection as to</p> <p>14 translation.</p> <p>15 A. At that moment, it was recognized as a loan to</p> <p>16 expand the capital, and with this situation,</p> <p>17 with this agreement of management fees, what we</p> <p>18 were doing is the salvation of 35 percent of</p> <p>19 that monies.</p> <p>20 MR. STEWART: Objection as to</p> <p>21 translation.</p> <p>22 A. That 35 percent, that represents approximately</p> <p>23 2 million euros. We were saving it from the</p> <p>24 taxes point of view because the taxing system in</p>	<p style="text-align: right;">Page 36</p> <p>1 there was a 35 percent was I believe the</p> <p>2 contribution to capital increase. I may be</p> <p>3 wrong, but it was capital increase. And then</p> <p>4 that they didn't have to pay income tax on that</p> <p>5 35 percent. And finally, that they'd never had</p> <p>6 the financial backing of Bentley. They were</p> <p>7 never "abalado" by Bentley.</p> <p>8 Q. Mr. Herrera, you mentioned, I believe, that this</p> <p>9 was -- this amount of money was paid or -- was</p> <p>10 booked in a three to four-year period; is that</p> <p>11 correct?</p> <p>12 A. Three, four, five.</p> <p>13 Q. What years were those?</p> <p>14 A. It could be, you know, from the year 1997 to</p> <p>15 year, you know, approximately 2002, 2001.</p> <p>16 Q. And the way this was recorded on Laboratorios</p> <p>17 books and records was management fees?</p> <p>18 A. Yes, that's correct.</p> <p>19 Q. Meaning Bentley managing affairs of Laboratorios</p> <p>20 Belmac?</p> <p>21 MR. STEWART: Objection.</p> <p>22 A. No.</p> <p>23 Q. What is correct?</p> <p>24 A. The correct is instead we are a subsidiary of</p>
<p style="text-align: right;">Page 35</p> <p>1 Spain is very high, but we have never need money</p> <p>2 for our financing. Bentley has never</p> <p>3 guaranteed --</p> <p>4 THE TRANSLATOR: He used the word</p> <p>5 "abalado," which I'm not familiar with, and he</p> <p>6 suggested "guaranteed."</p> <p>7 A. -- with banks or any organization.</p> <p>8 MR. BOSTWICK: There were a couple of</p> <p>9 objections to the translation in that phrase.</p> <p>10 In the future, I'd appreciate if we object at</p> <p>11 the end of the translation, but if you have any</p> <p>12 suggestions on your views of what was right or</p> <p>13 wrong, I'd like to hear them.</p> <p>14 MR. STEWART: On those specific</p> <p>15 translations --</p> <p>16 MR. BOSTWICK: Maybe we could hear it</p> <p>17 from the court -- from the translator.</p> <p>18 MR. STEWART: I'm not pretending to do</p> <p>19 it. I'm simply introducing it. Our translator</p> <p>20 made a couple of notes with respect to some of</p> <p>21 the words used. If you would, please.</p> <p>22 MS. LAMB-RUIZ: Yeah. The witness</p> <p>23 said that the company was worried about a tax</p> <p>24 problem rather than a fiscal problem, and that</p>	<p style="text-align: right;">Page 37</p> <p>1 Pharmaceuticals Bentley, and Bentley designates</p> <p>2 a certain amount of expenses to the subsidiary.</p> <p>3 MR. STEWART: Objection.</p> <p>4 MR. BOSTWICK: Please do that at the</p> <p>5 end.</p> <p>6 MR. STEWART: If we do it at the end,</p> <p>7 how is the translator going to pick up during</p> <p>8 the course of the translation?</p> <p>9 MR. BOSTWICK: She's going to do her</p> <p>10 best job, and if you've got a problem, at the</p> <p>11 end, we'll hear from her, but that's very</p> <p>12 distracting, I'm sure, as she's trying to do her</p> <p>13 job.</p> <p>14 Q. Can you repeat your answer, please?</p> <p>15 A. Bentley designates certain expenditures to the</p> <p>16 affiliated company, for corporate services, as</p> <p>17 for example; when they have to do the entire</p> <p>18 accounting system and consolidate accounts, as</p> <p>19 an example, as I say.</p> <p>20 Q. What was your role in the recording of these</p> <p>21 loans in the books of Laboratorios Belmac?</p> <p>22 MR. STEWART: Objection.</p> <p>23 A. That is done directly by my financial</p> <p>24 department.</p>

10 (Pages 34 to 37)

<p style="text-align: right;">Page 38</p> <p>1 Q. Who at your financial department?</p> <p>2 A. My direct -- my financial director.</p> <p>3 Q. Who is that?</p> <p>4 A. Today, Mr. Emilio Barta.</p> <p>5 Q. And who was -- who held that position from 1997</p> <p>6 to the present?</p> <p>7 A. Prior, it was Ester Sanchez.</p> <p>8 Q. Those are the only two from 1997 to the present?</p> <p>9 A. No, Miss Ester Sanchez has been in the position</p> <p>10 of financial director I believe it was since</p> <p>11 1999 until the year 2005.</p> <p>12 Q. Who held the position between 1997 and 1999?</p> <p>13 A. Jose Maria Esteve.</p> <p>14 Q. Do you want to spell that for the record?</p> <p>15 A. Ester Sanchez or Esteve --</p> <p>16 Q. The last name Esteve.</p> <p>17 A. E as in Edward, S as in Sam, Tom as in Thomas, E</p> <p>18 as in Edward, V as in Victor, E as in Edward.</p> <p>19 Q. Did your -- strike that. Did those individuals</p> <p>20 at Laboratorios Belmac speak with anyone at</p> <p>21 Bentley Pharmaceuticals about this matter?</p> <p>22 A. Not Jose Maria Esteve because the subject came</p> <p>23 about afterwards. Ester Sanchez.</p> <p>24 Q. Who did she speak with?</p>	<p style="text-align: right;">Page 40</p> <p>1 continue to maintain day-to-day control over the</p> <p>2 operations of Belmac and need not seek</p> <p>3 authorization or direction in the day-to-day</p> <p>4 operation of the Zaragoza plant from Belmac</p> <p>5 board or Bentley."</p> <p>6 THE TRANSLATOR: I'm sorry. I have to</p> <p>7 repeat this.</p> <p>8 MR. BOSTWICK: That's okay.</p> <p>9 (The translator repeated.)</p> <p>10 Q. Do you understand so far?</p> <p>11 A. Perfectly.</p> <p>12 Q. "Indeed, I need not and generally do not consult</p> <p>13 with Belmac's board or Bentley unless I will</p> <p>14 exceed the delegation --</p> <p>15 (Verbal exchange between translators)</p> <p>16 Q. -- of responsibility." You understand that</p> <p>17 paragraph, correct?</p> <p>18 A. Yes, that's correct.</p> <p>19 Q. Is it your position, Mr. Herrera, that you have</p> <p>20 very broad authority as the general manager in</p> <p>21 Spain?</p> <p>22 A. Yes.</p> <p>23 Q. Is it your position that you make many decisions</p> <p>24 without speaking with Mr. Murphy or Bentley?</p>
<p style="text-align: right;">Page 39</p> <p>1 A. With the vice president of finance of Bentley</p> <p>2 Pharmaceuticals, Mike Price.</p> <p>3 Q. And how about the last individual? Who did the</p> <p>4 last individual deal with at Bentley</p> <p>5 Pharmaceuticals on this topic?</p> <p>6 A. Are we referring to Ester Sanchez or who are we</p> <p>7 referring to? I just lost --</p> <p>8 Q. Sanchez. Sanchez.</p> <p>9 A. With Mike Price.</p> <p>10 Q. Anyone else that you're aware of from Bentley</p> <p>11 Pharmaceuticals?</p> <p>12 A. No.</p> <p>13 Q. Let me ask you to look at Exhibit 1 again.</p> <p>14 A. Yes.</p> <p>15 Q. Page 4, Paragraph 8. And let me read this out</p> <p>16 loud, and the translator can translate it for</p> <p>17 you. That paragraph reads, "Throughout my</p> <p>18 tenure, I have maintained" -- "through my</p> <p>19 tenure" --</p> <p>20 A. Okay, that's fine.</p> <p>21 Q. Do you know what the word "tenure" means in</p> <p>22 English?</p> <p>23 A. Yes.</p> <p>24 Q. "Throughout my tenure, I have maintained and</p>	<p style="text-align: right;">Page 41</p> <p>1 A. Yes.</p> <p>2 Q. Are there a number of matters you decide where</p> <p>3 Bentley or Mr. Murphy have no idea what you're</p> <p>4 doing?</p> <p>5 A. That is true.</p> <p>6 Q. Let's look at the last sentence again of</p> <p>7 Paragraph 8. And again, it reads, "Indeed, I</p> <p>8 did not" -- "I need not and generally do not</p> <p>9 consult with Bentley's board" -- "Belmac's board</p> <p>10 or Bentley unless I will exceed the delegation</p> <p>11 of responsibility." Correct?</p> <p>12 A. Correct.</p> <p>13 Q. So is it correct to say that when you do speak</p> <p>14 with Bentley or with Mr. Murphy, it's about a</p> <p>15 very important topic?</p> <p>16 MR. STEWART: Objection.</p> <p>17 A. It's not correct.</p> <p>18 Q. What is correct?</p> <p>19 A. I inform my president of Belmac Labs in terms of</p> <p>20 how the business is progressing and how</p> <p>21 different negotiations that are in process are</p> <p>22 moving along. I inform him.</p> <p>23 Q. Does Mr. Murphy provide advice on those topics?</p> <p>24 MR. STEWART: Objection; vague, time.</p>

11 (Pages 38 to 41)

<p style="text-align: right;">Page 42</p> <p>1 A. I insist once more again. I inform him of the 2 progress of a negotiation and the declaration of 3 anything in process. 4 Q. Does Mr. Murphy ever tell you what to do in 5 those negotiations? 6 MR. STEWART: Objection; vague, 7 unspecific, and no parameters as to time. 8 Q. While you have been general manager -- 9 A. No. 10 MR. BOSTWICK: Why don't you translate 11 "while you" -- 12 (The translator translated.) 13 Q. -- has Mr. Murphy ever told you what to tell 14 another party in a negotiation? 15 A. No. 16 Q. To be very specific, in your relationship with 17 Ethypharm, did Mr. Murphy ever tell you what to 18 say to Ethypharm in response to drafts of 19 contracts, for example? 20 A. No. 21 Q. You're absolutely sure of that? 22 A. Yes. 23 Q. Did Mr. Murphy ever send you draft contracts 24 relating to Ethypharm with handwritten changes</p>	<p style="text-align: right;">Page 44</p> <p>1 Q. In other words, that's correct? 2 A. Yes, that's how I remember it. 3 Q. Okay. At the end of Paragraph 8 of your 4 declaration, I understand that to mean that you 5 have spoken or consulted with Belmac's board or 6 Bentley on matters that did exceed the 7 delegation of your responsibility; is that 8 correct? 9 MR. STEWART: Objection, form. 10 A. When I have consulted, I have consulted with my 11 president of Laboratorios Belmac, Mr. James 12 Murphy, never with Bentley, and if it has been 13 on the day of my delegation of responsibility. 14 Q. Do you -- I don't understand your response. Can 15 you say it again? 16 A. I can even clarify it further if that's what you 17 desired. 18 Q. Thank you. 19 A. When I have considered or when it has been 20 necessary because of my powers of 21 responsibilities, you know, powers of 22 representation and, for example, I'm talking 23 about -- we're talking about assets of the 24 company.</p>
<p style="text-align: right;">Page 43</p> <p>1 or proposals? 2 A. Once, he sent me a draft of a contract that 3 Ethypharm had sent him. 4 Q. Only one time you recall? 5 A. I only remember once. 6 Q. Tell me about that time. 7 A. I think it was around mid, towards the end of 8 the year 2001. 9 Q. And do you recall what the contract -- what 10 contract it was that we're talking about? 11 A. I believe -- I remember it was a contract to do 12 with technology and manufacturing of omeprazole. 13 I believe it had to do with omeprazole. 14 Q. Did you take Mr. Murphy's suggestions? Did you 15 accept them? 16 A. He didn't make any suggestions. 17 Q. What did he do? 18 A. He just sent it to me. 19 Q. With no suggestions or changes? 20 A. No. 21 Q. So that we're clear, it's your testimony that 22 Mr. Murphy never told you how to respond to 23 draft contracts with Ethypharm? 24 A. No.</p>	<p style="text-align: right;">Page 45</p> <p>1 MR. STEWART: Note my objection to the 2 translation. 3 A. In that case, I have consulted with my president 4 of Laboratorios Bentley -- Belmac. Excuse me. 5 MR. BOSTWICK: If you had an 6 objection, does the translator have something to 7 add to that answer or to the translation of the 8 answer? 9 MS. LAMB-RUIZ: Of that particular 10 answer? 11 MR. BOSTWICK: Yes. 12 MS. LAMB-RUIZ: Yes, "activos" are 13 assets. 14 THE TRANSLATOR: I did say assets. He 15 corrected me. I asked him what he meant by 16 "activos," and then he said assets. 17 MS. LAMB-RUIZ: I'm not sure he knows 18 how to translate. 19 MR. BOSTWICK: Anything else? 20 MS. LAMB-RUIZ: Capacities, he's 21 talking about in his capacity, his various 22 capacities. 23 Q. Can you give me -- well, let's refer to 24 Paragraph 9. This may help me understand. The</p>

12 (Pages 42 to 45)

<p style="text-align: right;">Page 46</p> <p>1 last sentence says, "Belmac" -- and that's</p> <p>2 Laboratorios Belmac, correct?</p> <p>3 A. Yes.</p> <p>4 Q. -- "negotiates its own contracts and agreements</p> <p>5 and does not need Bentley's approval to do so</p> <p>6 unless the size of those contracts will exceed</p> <p>7 the thresholds established in the delegation of</p> <p>8 responsibilities."</p> <p>9 Does that sentence mean that there are</p> <p>10 certain -- there's an amount over which you</p> <p>11 generally discuss contracts and other matters</p> <p>12 with Bentley or Mr. Murphy?</p> <p>13 A. I consult issues with Mr. Murphy, president of</p> <p>14 Belmac Labs, and the word "consult" is not</p> <p>15 correct. When they have been or we have done a</p> <p>16 purchase of some asset, of the sale of any</p> <p>17 assets of the company, in that case, because it</p> <p>18 exceeds my limited -- it exceeds my limits of my</p> <p>19 capacities.</p> <p>20 THE TRANSLATOR: He's using the word</p> <p>21 "politicas," and I'm referring as capacities.</p> <p>22 A. In that case, I have to speak with my president,</p> <p>23 Mr. James Murphy.</p> <p>24 Q. And the translator has used the word</p>	<p style="text-align: right;">Page 48</p> <p>1 committee in Spain -- to purchase Codeisan,</p> <p>2 which was a product of Merck Abello and it was a</p> <p>3 very large amount of money, in that specific</p> <p>4 case, I had to call my president because I don't</p> <p>5 have the powers to sign on that specific type of</p> <p>6 operation because it exceeds the limit that I</p> <p>7 have by operations. Is it clear?</p> <p>8 Q. Yes.</p> <p>9 MR. BOSTWICK: I just want to make</p> <p>10 sure your translation was "exceed," not "exist,"</p> <p>11 right?</p> <p>12 THE TRANSLATOR: Exceed.</p> <p>13 Q. Do you discuss general strategies with</p> <p>14 Mr. Murphy?</p> <p>15 MR. STEWART: Objection. Time?</p> <p>16 Q. For the entire time you've been general manager.</p> <p>17 MR. STEWART: Including the present?</p> <p>18 Q. From 1999 to the present.</p> <p>19 MR. STEWART: Objection.</p> <p>20 A. I define the company's strategies. I have a</p> <p>21 directorship team --</p> <p>22 MR. STEWART: Objection as to</p> <p>23 translation.</p> <p>24 A. -- and with him, I define the strategies to</p>
<p style="text-align: right;">Page 47</p> <p>1 "capacities." Did you mean "powers" in English</p> <p>2 or "capacities"?</p> <p>3 A. We can use both, you know, powers or capacities.</p> <p>4 You can use both.</p> <p>5 Q. And is the limit of your authority 20 million</p> <p>6 pesetas? Is that correct?</p> <p>7 A. For assets operations in the specific.</p> <p>8 Q. That didn't seem -- can you try that again?</p> <p>9 Because that translation doesn't seem to be an</p> <p>10 English sentence. And let me give you an actual</p> <p>11 question. What is your understanding of what</p> <p>12 the \$20 million -- 20-million-peseta limitation</p> <p>13 apply to?</p> <p>14 MR. STEWART: Objection as to</p> <p>15 translation.</p> <p>16 A. I understand that that limit applies to the</p> <p>17 purchase or the selling of assets of</p> <p>18 operations -- by operations. Excuse me.</p> <p>19 Q. Can you give me an example of circumstances</p> <p>20 where you felt you needed to discuss matters</p> <p>21 or -- speak with Mr. Murphy about matters over</p> <p>22 your authority?</p> <p>23 A. As an example, when we decided -- and when I</p> <p>24 said "we," I'm referring to myself with my</p>	<p style="text-align: right;">Page 49</p> <p>1 take.</p> <p>2 THE TRANSLATOR: He mentioned un grupo</p> <p>3 de directors. I translated it as a team of</p> <p>4 directors.</p> <p>5 MR. BOSTWICK: Could you read the last</p> <p>6 answer back, please?</p> <p>7 (Reporter read back the last answer.)</p> <p>8 Q. Did you mean that with Mr. Murphy you decide</p> <p>9 what strategies to take or with your team?</p> <p>10 A. As I stated on my affidavit, Page Number 4, I</p> <p>11 don't decide the strategies of the company with</p> <p>12 Mr. Murphy. I decide my strategies with my</p> <p>13 senior management officers of Belmac.</p> <p>14 Q. Is Mr. Murphy a part of that team?</p> <p>15 A. No.</p> <p>16 Q. Do you ever discuss strategy -- do you ever</p> <p>17 speak with Mr. Murphy about the strategies of</p> <p>18 either Bentley or Laboratorios Belmac?</p> <p>19 A. I comment with him and converse about the</p> <p>20 strategies that have been decided at Belmac by</p> <p>21 myself with my senior management officers.</p> <p>22 Q. Let's talk about your -- Laboratorios Belmac and</p> <p>23 its relationship with Ethypharm. I have some --</p> <p>24 A. Our relationship with Ethypharm, correct?</p>

13 (Pages 46 to 49)

<p style="text-align: right;">Page 50</p> <p>1 Q. Yes. Did Mr. Murphy participate in that 2 relationship with Ethypharm from 1997, when you 3 joined the company, to 2003? 4 A. Mr. Murphy with myself has been present at some 5 meeting that I had with Ethypharm. 6 Q. Did Mr. Murphy participate in discussions 7 regarding the nature and scope of the 8 manufacturing relationship with Ethypharm? 9 A. I can speak in terms of the two meetings that I 10 have been with him. 11 Q. Okay. Why don't we -- 12 MR. STEWART: You're welcome to 13 continue, but I'd like to take a break in the 14 next five minutes or so. We've been going for 15 over an hour now. 16 Q. Let's talk briefly about these two meetings, and 17 then we'll take a break. Tell me about the 18 first meeting. 19 A. Three meetings. 20 Q. Three meetings. 21 A. That I remember of. 22 Q. When was the first meeting that you're thinking 23 of? 24 A. Approximately on the first quarter of the year</p>	<p style="text-align: right;">Page 52</p> <p>1 between Belmac and -- Ethypharm and Laboratorios 2 Belmac. 3 Q. Is it my understanding that because Swartz was 4 interested in buying the company around early 5 1998, Swartz wanted to see a clearer, more 6 formal contract between Ethypharm and 7 Laboratorios Belmac? 8 A. We can say that Swartz had not a clarity of the 9 relationship between the two laboratories, and 10 they wanted something signed that will define 11 better this relationship. 12 Q. Is it for that reason that you and Mr. Murphy 13 and others met with Ethypharm around April or 14 May of 1998? 15 A. Yes, we went -- Mr. Murphy, Mr. Clemente 16 Gonzalez Azpetia, which was the general 17 director, Mr. Fernando Berenguer, and myself. 18 Q. Where did you hold the meeting? 19 A. At the Ethypharm offices in France. 20 Q. Who did you meet with at Ethypharm? 21 A. With Claude Dubois, Adolfo de Basilio, Domingo 22 Bernabe, Roseline Joannesse. I know how to 23 pronounce her name, but I don't know how to 24 write it correctly.</p>
<p style="text-align: right;">Page 51</p> <p>1 1998, you know, the first quarter, you know, 2 April, March, May, you know. I will never 3 forget. 4 Q. You will never forget; is that correct? 5 A. Yes, it's correct. 6 Q. Why do you have such a good memory of this 7 event? 8 A. Because that meeting was a consequence of, a 9 result of because Laboratorios Belmac could have 10 been sold to a German group, which is Swartz 11 Pharma. For that specific circumstances, I will 12 not forget that meeting because I had just 13 arrived at the company and I thought they're 14 going to sell me now. It's a joke, you know. 15 Q. Right. What did the Swartz -- the potential 16 Swartz sale have to do with the Ethypharm 17 meeting? 18 A. Because of the issue that Swartz was going to 19 buy Belmac Laboratories and they have revised 20 all the contracts that were current. 21 MR. STEWART: Objection, translation. 22 MS. LAMB-RUIZ: Reviewing. 23 Q. Go ahead, please. 24 A. There was no clear or defined relationship</p>	<p style="text-align: right;">Page 53</p> <p>1 Q. Okay. Do you also remember whether -- 2 A. If my memory serves me well, at some point, we 3 saw Patrice DeBregeas. 4 Q. DeBregeas? 5 A. DeBregeas. 6 Q. Do you also remember whether or not you saw 7 Gerard Leduc for a portion of that meeting? 8 THE TRANSLATOR: Degeas? 9 MR. BOSTWICK: DeBregeas. I'm sorry. 10 Leduc was my question. 11 A. I don't remember. 12 Q. Can you tell me what you recall about that 13 meeting? 14 A. What I remember is that there was some 15 discussion and Roseline Joannesse was bringing 16 drafts of contracts or confidential agreements, 17 and we were discussing in terms of those. 18 MR. BOSTWICK: Okay. Did you have any 19 objection to that last answer? I'm sorry. 20 Q. Did you say confidential agreements or 21 confidentiality agreements? 22 A. Confidentiality agreements. 23 MR. BOSTWICK: Why don't we go off the 24 record?</p>

14 (Pages 50 to 53)

<p style="text-align: right;">Page 54</p> <p>1 THE VIDEOGRAPHER: The time is 2 4:48 p.m. on July 20th, 2006. This is the end 3 of Tape Number 1 of the videotaped deposition of 4 Mr. Adolfo Herrera. 5 (Recess) 6 THE VIDEOGRAPHER: The time is 7 5:17 p.m. on July 20th, 2006. This is Tape 8 Number 2 of the videotaped deposition of 9 Mr. Adolfo Herrera. 10 (Whereupon, Ms. Lamb-Ruiz became the 11 translator and Ms. Escalera became the 12 check translator.) 13 Q. Mr. Herrera, when we last spoke, we were 14 discussing a meeting in around April of 1998, 15 correct? 16 THE WITNESS: Correct. 17 Q. There were some Ethypharm representatives and 18 some individuals including yourself, Mr. Murphy? 19 A. Correct. 20 Q. Can you tell me anything more that you remember 21 about that meeting? 22 A. As I recall, we spent about two or three hours 23 approximately, and as I said yesterday, we were 24 looking at different confidentiality agreements.</p>	<p style="text-align: right;">Page 56</p> <p>1 Q. Do you recall whether one of the confidentiality 2 agreements that was passed out in the meeting 3 related to who owned the technology and know-how 4 relating to omeprazole? 5 A. Yes. It was an agreement that decided or that 6 defined who was the owner of the technology and 7 the know-how. 8 Q. And I think we can just say "know-how" as a term 9 in English. Is that okay? 10 A. That seems right to me. 11 Q. Did the parties also discuss draft supply 12 agreements? 13 A. No. Basically, it was the manufacturing and the 14 confidentiality agreements. 15 Q. I'm going to show you another document. 16 A. Have we finished with this one? 17 Q. Actually, let's leave that aside because we may 18 refer back to it. 19 MR. BOSTWICK: And we have to actually 20 get her to write Exhibit 2 on it first. 21 (Fax to Mr. Gonzalez from Mr. De 22 Basilio, dated March 4, 1998 was marked 23 Exhibit Number 2 for identification.) 24 Q. Before we take a look at that, Mr. Herrera, do</p>
<p style="text-align: right;">Page 55</p> <p>1 And after talking about those topics 2 specifically, after about two, two and a half 3 hours, Mr. Murphy had to get on a plane, and he 4 left the meeting. And we spoke for a little bit 5 more, maybe an hour, hour and a half. 6 Q. Can you recall the -- other than passing 7 confidentiality agreements, do you recall the 8 subject matters of the meeting? 9 A. We were trying to sign an agreement in order to 10 clarify the situation that existed between the 11 two companies. 12 Q. And is that -- what two companies are you 13 referring to? 14 A. Between Laboratorios Belmac and Ethypharm. 15 Q. And the relationship you're talking about 16 involves the manufacture of omeprazole, 17 lansoprazole? 18 A. Yes, the manufacture of lansoprazole -- 19 omeprazole. Sorry. Omeprazole. 20 Q. And was this an attempt in 1998 to look at the 21 entirety of the relationship between those 22 companies? 23 A. It was to clarify the situation between the two 24 companies.</p>	<p style="text-align: right;">Page 57</p> <p>1 you recall if the meeting took place in English 2 or Spanish or French? 3 A. The meeting, in fact, was in English, but Senor 4 Gonzalez Aspetia does not speak English -- does 5 not understand any English. And, therefore, I 6 that time -- I can assure that at the time I 7 understood much less English than I do now. 8 And really, Mr. Fernando Berenguer helped us to 9 understand what was being -- going on. 10 Q. Was the meeting held in English -- well, strike 11 that. Let's take a look at this document. Do 12 you recognize this document? 13 A. Yes, I do. 14 Q. What do you recognize that document to be? 15 A. I'm going to read it. 16 MR. BOSTWICK: Perhaps while you're 17 reading that document, we can have the 18 translator translate the first sentence. I 19 don't have a translation of this. If we could 20 just read that into the record. On the first 21 page, there's a message. Could you translate 22 that for us? 23 THE TRANSLATOR: "Sir, below, we are 24 sending you the letter that Ethypharm proposes</p>

15 (Pages 54 to 57)

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1 that you sign" -- "that Belmac" -- sorry, I have
 2 to read it myself and then translate it.
 3 MR. BOSTWICK: That's okay. That's
 4 fine.
 5 THE TRANSLATOR: "Below, please find
 6 the letter that Ethypharm proposes for your
 7 signature by Belmac and Bentley and the draft
 8 contract for omeprazole."
 9 Q. And you've had a time -- a moment to look at
 10 that document, sir?
 11 A. Yes.
 12 Q. Does that refresh your memory what those
 13 documents are?
 14 A. I would suppose these documents come after the
 15 meeting that was held. I suppose it comes
 16 later.
 17 Q. Do you recall if these specific documents were
 18 handed out at the meeting or not?
 19 A. I don't think so.
 20 Q. Do you -- you had said that there were drafts
 21 that were being handed out at the meeting,
 22 correct?
 23 A. Yes.
 24 Q. Were they drafts that were like these documents,

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1 if they weren't actually these documents?
 2 MR. STEWART: Objection; form, vague.
 3 A. They could be. The fact is I don't remember, to
 4 tell you the truth.
 5 Q. Do you recall -- let's go to the second page,
 6 256. Do you recall discussing that Bentley and
 7 Belmac would both sign a certification relating
 8 to the omeprazole regarding -- relating to the
 9 know-how regarding omeprazole?
 10 A. I don't remember. We were talking about Belmac
 11 the whole time.
 12 Q. So you don't remember one way or the other
 13 whether there was a discussion about Bentley and
 14 Belmac signing this agreement?
 15 THE TRANSLATOR: Sorry. A contract,
 16 right?
 17 (Mr. Bostwick nodded.)
 18 A. What I recall is what we were discussing was the
 19 Belmac Laboratories and clarify the relationship
 20 between Belmac and Ethypharm, and I don't
 21 remember anything about Bentley being discussed.
 22 Q. Do you -- does this -- does your review of this
 23 document help you recall anything else about
 24 that April 1998 meeting?

Page 60

1 A. No.
 2 Q. On the very first page of the exhibit, sir, do
 3 you recognize the handwriting?
 4 A. It's mine.
 5 Q. Can you tell us what it says?
 6 A. Yes.
 7 Q. Glad I asked.
 8 A. Why are you happy?
 9 Q. I'm happy that I asked that, that it's your
 10 handwriting.
 11 A. Yes, it's mine. This, I don't even understand.
 12 Q. So the top right-hand corner, you don't
 13 understand?
 14 A. No.
 15 MR. STEWART: Can we know if that is
 16 his handwriting on the top right-hand corner?
 17 Q. Is all of the handwriting on this first page
 18 yours?
 19 A. Yes.
 20 Q. Except for the signature of Adolfo de Basilio,
 21 correct?
 22 A. Yes.
 23 Q. So you don't know what's at the right-hand
 24 corner. Can you tell us where it says 2001 --

Page 61

1 A. No, I don't have any idea of that.
 2 Q. The top?
 3 A. No, I don't. It could say "resposada" or
 4 "reposada."
 5 Q. What does that mean in English?
 6 A. It doesn't mean anything.
 7 MR. BOSTWICK: But I'm asking you as
 8 the translator. You're just giving me the
 9 Spanish.
 10 Let's go off the record for a moment.
 11 THE VIDEOGRAPHER: Stand by. The time
 12 is 5:32 p.m. Off the record.
 13 (Discussion off the record)
 14 THE VIDEOGRAPHER: The time is
 15 5:33 p.m. We're back on the record.
 16 Q. Can I ask you to repeat your last answer about
 17 what is on the top right-hand corner of the
 18 page?
 19 A. Reposada.
 20 MR. BOSTWICK: And what does that mean
 21 in English? And I'm asking the translator.
 22 THE TRANSLATOR: The "resposada" is a
 23 feminine adjective which means rested.
 24 Q. Do you have any idea what you meant by that?

16 (Pages 58 to 61)

<p style="text-align: right;">Page 62</p> <p>1 A. No.</p> <p>2 Q. How about below -- the handwriting that is below</p> <p>3 Adolfo de Basilio's signature?</p> <p>4 A. What specifically?</p> <p>5 Q. All of it.</p> <p>6 A. Very good. Alsina is the name of a person.</p> <p>7 Q. Who is that person?</p> <p>8 A. He was the sales and marketing director of</p> <p>9 another company.</p> <p>10 Q. Why do you think you were writing his name on</p> <p>11 this document?</p> <p>12 A. It relates to what's written on the right-hand</p> <p>13 side.</p> <p>14 Q. Okay. And what is written on the right-hand</p> <p>15 side?</p> <p>16 A. It says "increase receipts."</p> <p>17 THE TRANSLATOR: Just a second.</p> <p>18 A. Increase revenues. Can I say a word in English?</p> <p>19 Q. Certainly.</p> <p>20 THE WITNESS: Residuals.</p> <p>21 THE TRANSLATOR: Increase residuals.</p> <p>22 Q. Is that what it says after the first arrow?</p> <p>23 A. "Increase of residuals."</p> <p>24 Q. Ahh. Okay. And what is underneath that phrase?</p>	<p style="text-align: right;">Page 64</p> <p>1 A. Because I was on a phone call to him, for sure.</p> <p>2 I'd like to explain that often people call me,</p> <p>3 and whatever paper is in front of me and I take</p> <p>4 notes down in any old way.</p> <p>5 Q. And what is -- there are two arrows at the</p> <p>6 bottom and some words there. Can you describe</p> <p>7 those for me?</p> <p>8 A. This arrow means organic solvents.</p> <p>9 Q. Okay. And what does that mean in the context of</p> <p>10 your --</p> <p>11 A. There's also an increase or a high level of</p> <p>12 organic solvents.</p> <p>13 MS. ESCALERA: The translation never</p> <p>14 took place. Your question was never translated.</p> <p>15 Q. Can I ask you about the handwriting on the right</p> <p>16 side of this document?</p> <p>17 A. Yes.</p> <p>18 Q. What does that say?</p> <p>19 A. It says, "Media as Bermasol." Bermasol is our</p> <p>20 registered trademark.</p> <p>21 Q. I'm sorry. It says -- can you say that again?</p> <p>22 Can you give me your answer again?</p> <p>23 A. "Media, media for Bermasol."</p> <p>24 MR. BOSTWICK: Media.</p>
<p style="text-align: right;">Page 63</p> <p>1 A. "Decrease of the solution."</p> <p>2 Q. And what's underneath that?</p> <p>3 A. "Unstable." Lack of stability. Lack of</p> <p>4 stability. "Is increasing."</p> <p>5 Q. And at the bottom?</p> <p>6 A. "Diplococos."</p> <p>7 Q. Is that diplococos in English?</p> <p>8 A. It's the same word in Spanish and in English.</p> <p>9 It means that the pellets are stuck together.</p> <p>10 Q. So perhaps now you can describe for me what all</p> <p>11 that means together in the context of this</p> <p>12 person's name.</p> <p>13 A. Yes. Shall I go ahead?</p> <p>14 Q. Please.</p> <p>15 A. This is a complaint from the sales and marketing</p> <p>16 manager, director of a company, saying that the</p> <p>17 product, the omeprazole pellets, had a lot of</p> <p>18 residuals, that it dissolved poorly, that it</p> <p>19 wasn't stable, and that it had manufacturing</p> <p>20 defects so that the pellets stuck together.</p> <p>21 Q. Does that relate to this -- do those comments</p> <p>22 relate to this -- these drafts that come behind</p> <p>23 it or was that something you were writing</p> <p>24 because you were on a phone call with him?</p>	<p style="text-align: right;">Page 65</p> <p>1 MS. ESCALERA: I don't think that's</p> <p>2 the most accurate translation.</p> <p>3 Q. Can I have you explain what you mean by that</p> <p>4 comment on the right?</p> <p>5 A. This comment that's here, "Medium for Bermasol,"</p> <p>6 I don't know exactly what it means.</p> <p>7 MR. STEWART: Can we go off the record</p> <p>8 for a minute, please?</p> <p>9 THE VIDEOGRAPHER: Stand by. The time</p> <p>10 is 5:42 p.m. We're going off the record.</p> <p>11 (Recess)</p> <p>12 THE VIDEOGRAPHER: The time is</p> <p>13 5:43 p.m. We're back on the record.</p> <p>14 MR. BOSTWICK: We're going to go off</p> <p>15 the record for the day.</p> <p>16 THE VIDEOGRAPHER: Thank you. The</p> <p>17 time is 5:43 p.m. on July 20th, 2006. This is</p> <p>18 the end of Tape Number 2 of the videotaped</p> <p>19 deposition of Mr. Adolfo Herrera. This</p> <p>20 deposition will be adjourned until July 20th at</p> <p>21 9 a.m.</p> <p>22 MR. STEWART: That will be July 21st</p> <p>23 actually.</p> <p>24 THE VIDEOGRAPHER: July 21st. Thank</p>

17 (Pages 62 to 65)

<p style="text-align: right;">Page 66</p> <p>1 you. 2 (Deposition suspended at 5:43 p.m.) 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24</p>	<p style="text-align: right;">Page 68</p> <p>1 CERTIFICATE 2 3 COMMONWEALTH OF MASSACHUSETTS 4 SUFFOLK, SS 5 I, Sandra L. Bray, Registered Diplomate 6 Reporter and Notary Public in and for the 7 Commonwealth of Massachusetts, do hereby 8 certify: 9 That ADOLFO HERRERA, the witness whose 10 deposition is hereinbefore set forth, was duly 11 sworn by me and that such deposition is a true 12 record of my stenotype notes taken in the 13 foregoing matter, to the best of my knowledge, 14 skill and ability. 15 IN WITNESS WHEREOF, I have hereunto set 16 my hand this 4th day of August, 2006. 17 18 19 Sandra L. Bray, RDR 20 Registered Diplomate Reporter 21 22 23 24</p>
<p style="text-align: right;">Page 67</p> <p>1 CERTIFICATE 2 I, ADOLFO HERRERA, do hereby certify that I 3 have read the foregoing transcript of my 4 testimony, given on July 20, 2006, and I further 5 certify that said transcript is a true and 6 accurate record of said testimony (with the 7 exception of the corrections listed below): 8 Page Line Correction 9 10 11 12 13 14 15 16 17 Dated at , this 18 day of , 2006. 19 20 ADOLFO HERRERA 21 22 SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY 23 24 slb</p>	<p style="text-align: right;">Page 68</p>

18 (Pages 66 to 68)

A	63:13 Ahh 62:24 Alsina 62:6 amount 18:10 33:23 36:9 37:2 46:10 48:3 Angell 1:20 2:11 5:19 answer 10:11 15:12 17:13 20:22 24:16 24:17 37:14 45:7,8,10 49:6,7 53:19 61:16 64:22 answers 11:7 29:1 Anybody 31:20 APPEARAN... 2:1 applicable 1:15 applies 47:16 apply 47:13 appreciate 35:10 appropriate 10:15 approval 46:5 approximately 5:13 13:17,21 14:4 16:18 17:12,22 18:6 23:17,18,23 34:22 36:15 50:24 54:23 April 51:2 52:13 54:14 59:24 arrived 51:13 arrow 62:22 64:8 arrows 64:5 aside 56:17 asked 27:18 30:12 45:15 60:7,9	asking 15:11 61:7,21 Aspetia 57:4 asset 46:16 assets 44:23 45:13,14,16 46:17 47:7,17 assigned 24:5 assist 10:6 association 5:16 assure 57:6 attempt 55:20 August 68:16 authority 40:20 47:5,22 authorization 40:3 Avenue 1:21 2:12 5:20 award 28:10 awarded 28:11 aware 33:12 39:10 Azpetia 12:15 15:16,18 16:9 52:16 a.m 65:21	60:20 Basilio's 62:3 began 16:17 25:23 beginning 25:3 25:5,7 behalf 1:14 believe 18:17 36:1,8 38:10 43:11,13 Belmac 2:16 6:6,7 8:5,20 11:18,21 12:10,14 13:5 14:1,9,18 15:8,19,22 16:3,7,13 17:21 27:12 28:18 31:13 31:17 33:1,7 33:9,14 34:8 36:20 37:21 38:20 40:2,4 41:19 44:11 45:4 46:1,2 46:14 49:13 49:18,20,22 51:9,19 52:1 52:2,7 55:14 58:1,7 59:7 59:10,14,19 59:20 Belmac's 31:14 40:13 41:9 44:5 Bentley 1:8 5:9 6:4 11:22 18:12,14,19 18:22,23 19:1 19:6,10,23 20:6,23 23:20 23:21,22 24:1 24:4,7,10,13 26:4 27:24 28:21,22 29:4 31:14,24 32:4 32:9,10,14,16 32:20 33:1,10	33:13,23 34:9 35:2 36:6,7 36:19 37:1,1 37:15 38:21 39:1,4,10 40:5,13,24 41:3,10,14 44:6,12 45:4 46:12 49:18 58:7 59:6,13 59:21 Bentley's 7:9 19:2 41:9 46:5 Berenguer 52:17 57:8 Bermasol 64:19,19,23 65:5 Bernabe 52:22 best 20:10,11 37:10 68:13 better 52:11 bit 15:2 55:4 board 24:8,22 26:23,24 31:14,17 32:11,13 40:5 40:13 41:9,9 44:5 bonus 18:5,11 bonuses 18:1 18:3 booked 36:10 books 34:1 36:17 37:21 boss 13:13 Boston 1:22 2:13 5:20 Bostwick 2:7 4:4 5:23,23 7:4 8:1 12:2 21:4,16,23 22:4 23:3 24:15 25:15 25:21 28:4,9 28:13 29:24 33:6 34:5
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